



OYEN WIGGS GREEN & MUTALA

INTELLECTUAL PROPERTY LAWYERS
REGISTERED PATENT AND TRADEMARK AGENTS

480 - THE STATION
601 WEST CORDOVA STREET

VANCOUVER, B.C., CANADA

V6B 1G1

PHONE: (604) 669-3432

FAX: (604) 681-4081

owgm@patentable.com
www.patentable.com

13 August 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Re: United States Patent Application No. 10/684622
Filed 14 October 2003 for HYBRID POWER SUPPLY APPARATUS FOR BATTERY
REPLACEMENT APPLICATIONS
Inventor(s): CORLESS, Adrian J.; LEBOE, David; LAWRENCE, Carolyn; REID,
Christopher E.J.; KRATSCHMAR, Kenneth W.
Applicant: Cellex Power Products, Inc.
Our File C578 0029

Disclosure Statement Pursuant to 37 C.F.R. §1.56

Transmitted herewith is an Information Disclosure Statement disclosing information which has come to the attention of applicant(s) and/or their agents and is being submitted in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with 37 C.F.R. §1.98, transmitted herewith are:

1. A completed copy of Form PTO/SB/08 "Information Disclosure Statement by Applicant" listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Form PTO/SB/08.

Respectfully submitted,

By:

Thomas W. Bailey
Registration No. 36,411

tel: 604.669.3432

fax: 604.681.4081

e-mail: tbailey@patentable.com

Vancouver, B.C.
CANADA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT APPLICATION SERIAL NO. 10/684,622
FILING DATE 14 October 2003
INVENTORS Christopher E. J. Reid et al.
ASSIGNEE Cellex Power Products, Inc.
GROUP ART UNIT 3618
EXAMINER Unknown
ATTORNEY'S DOCKET NO. 45896.0023
TITLE "Hybrid Power Supply Apparatus for Battery Replacement Applications"

TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: L. Grant Foster
HOLLAND & HART LLP
555 - 17th Street, Suite 3200
P.O. Box 8749
Denver, Colorado 80201
Telephone: (801) 595-7830
Facsimile: (801) 364-9124

Enclosed are the items listed below submitted regarding the matter identified above:

1. Transmittal Letter with Certificate of Mailing included
2. PTO Return Postcard Receipt
3. Disclosure Statement Pursuant to 37 C.F.R. § 1.56
4. Form PTO/SB/08 (4 Sheets)
5. Copy of Cited References

Deposit Account Authorization - The Commissioner is hereby authorized to charge payment of any applicable fees to Deposit Account No. 08-2623

Date: 18 August 2004

By: [Signature]
L. Grant Foster
Reg. No. 33,236

CERTIFICATE OF MAILING

I hereby certify the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail or Express Mail, if the blank for Express Mail No. is completed below, in an envelope addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.

Express Mail No.

Date: 18 August 2004

Signature: [Signature]
Name: Kathy Case

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/684,622
Filing Date	14 October 2003
First Named Inventor	REID, Christopher EJ
Art Unit	3618
Examiner Name	
Attorney Docket Number	45896.0023

Sheet 2 of 4**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	20	US- 5,631,532	05-20-1997	Azuma et al.	
	21	US- 5,929,595	07-27-1999	Lyons et al.	
	22	US- 5,332,630	07-26-1994	Hsu	
	23	US- 5,139,894	08-18-1992	Mizuno et al.	
	24	US- 4,961,151	10-02-1990	Early et al.	
	25	US- 4,931,947	06-05-1990	Werth et al.	
	26	US- 4,962,462	10-09-1990	Fekete, deceased	
	27	US- 5,780,980	07-14-1998	Naito	
	28	US- 5,623,194	04-22-1997	Boll et al.	
	29	US- 5,820,172	10-13-1998	Brigham et al.	
	30	US- 5,945,808	08-31-1999	Kikuchi et al.	
	31	US- 6,011,379	01-04-2000	Singh et al.	
	32	US- 5,760,488	06-02-1998	Sonntag	
	33	US- 5,601,936	02-11-1997	Dudfield et al.	
	34	US- 5,075,813	12-24-1991	Takabayashi	
	35	US- 5,710,699	01-20-1998	King et al.	
	36	US- 4,670,702	06-02-1987	Yamada et al.	
	37	US- 4,839,246	06-13-1989	Takabayashi	
	38	US- 6,214,484	04-10-2001	Hauer	

FOREIGN PATENT DOCUMENTS

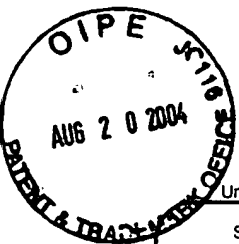
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	7	DE 43 21 768 A1	01-12-1995	Abels		
	8	GB 1,129,709	10-09-1968	Durrant		
J	9	EP 0 936 178 A1	08-18-1999	Kikukawa		
	10	JP 2000-85377	03-28-2000	Yoshizumi et al		
J	11	JP 59134573	08-02-1984	Toshiaki		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/684,622
Filing Date	14 October 2003
First Named Inventor	REID, Christopher EJ
Art Unit	3618
Examiner Name	
Attorney Docket Number	45896.0023

Sheet 1 of 4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 5,759,712	06-02-1998	Hockaday	
	2	US- 4,339,015	07-13-1982	Fowkes et al.	
	3	US- 3,497,027	02-24-1970	Wild	
	4	US- 4,593,786	06-10-1986	Tate	
	5	US- 1,527,431	02-24-1925	Gumpper	
	6	US- 3,690,397	09-12-1972	Parker	
	7	US- 3,756,350	09-04-1973	Gandolfo et al.	
	8	US- 3,897,960	08-05-1975	Cosby	
	9	US- 4,199,037	04-22-1980	White	
	10	US- 4,325,451	04-20-1982	Umeda	
	11	US- 4,878,877	11-07-1989	Auer et al.	
	12	US- 5,065,320	11-12-1991	Hayashi et al.	
	13	US- 5,738,187	04-14-1998	Dammeyer et al.	
	14	US- 5,845,583	12-08-1998	Jensen	
	15	US- 6,242,873	06-05-2001	Drozdz et al.	
	16	US- 4,839,574	06-13-1989	Takabayashi	
	17	US- 4,883,724	11-28-1989	Yamamoto	
	18	US- 5,334,463	08-02-1994	Tajima et al.	
	19	US- 5,714,874	02-03-1998	Bonnefoy	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1	WO 01/79012 A2	10-25-2001	Harris et al.		
	2	EP 0 860 889 A1	08-26-1998	Honbo et al.		
	3	DE 196 41 254 A1	04-16-1998	Rosenkranz		
	4	DE 44 27 322 A1	02-15-1996	Gleich Anmelder		
J	5	WO 96/06749	03-07-1996	Mori		
/	6	WO 99/02358	01-21-1999	Martin et al.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/684,622
		Filing Date	14 October 2003
		First Named Inventor	REID, Christopher EJ
		Art Unit	3618
		Examiner Name	
Sheet	3	of	4
		Attorney Docket Number	45896.0023

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Airtrax Corporation Press Release, March 2000, Vineland, New Jersey USA	
	2	Draft Final Report, October 1999, Prepared for Naval Air Warfare Center Aircraft Division, Lakehurst, NJ 08733 USA	
	3	Johnson, G. K. et al., "A Fuel Cell Power System for Forklift Trucks", EVC No. 8305, EVC Expo '83, October 4-6, 1983.	
	4	Kaufman, A. et al., "Fuel Cell Power System for Forklift Truck", MERADCOM 30th Power Sources Symposium, June, 1982.	
	5	Dowgiallo, E.J. et al., "A Fuel Cell-Battery Power Source for Electric Vehicles", 782407E, The Fifth International Electric Vehicle Symposium, October, 1978.	
	6	O'Sullivan, J.B. et al., "Hybrid Power Source for Material Handling Equipment", IECEC 1975 Record.	
✓	7	Rainer, H., "Solar Hydrogen Project at Neunburg vorm Wald, Germany", XII World Hydrogen Energy Conference, June, 1998 (archived at	
		http://www.solarhydrogen.com/pdfs/eng/publications_e_11.pdf)	
	8	J.J. Early et al., "An Integrated Fuel Cell/Battery Power System for a Forklift Truck", Journal of the Electrochemical Society, vol. 130, No. 8, Aug. 1983,	
✓		p. 331C, abstract No. 376.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/684,622
		Filing Date	14 October 2003
		First Named Inventor	REID, Christopher EJ
		Art Unit	3618
		Examiner Name	
Sheet 4	of 4	Attorney Docket Number	45896.0023

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/	9	"Fuel Cells for Everyone", Siemens R & D Homepage, 2/1998	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.